

COHEN & GREEN

July 27, 2022

Hon. James R. Cho, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

By Electronic Filing.

Re: Hoover v. City of New York, Case No. 21-cv-04783-EK-JRC

Dear Judge Cho:

I am co-counsel for Plaintiffs in the above-captioned matter. I write to request a one business day extension of the time for Plaintiffs to submit their *ex parte* letter in advance of the continuation of the settlement conference on Tuesday, August 2, 2022. I also write to ask the Court's permission to allow a law student and summer associate with my firm — Frances Grail-Bingham (Mx. Grail-Bingham; they/them) — to be the primary speaker for Plaintiffs at the conference.

On the first issue, as discussed at the previous conference, there are a number of cameras that appear to be City-controlled that would have captured the arrests and assaults Defendants subjected Plaintiffs to. Plaintiffs asked Defendants to identify those cameras and either (1) produce footage or (2) explain why it no longer existed within 21 days. Defendants asked for 30, and Plaintiffs consented. Defendants also asked for 30 additional days for their discovery responses (meaning it appears nothing will be produced before the continued conference). At the end of the 30 days for the footage, Defendants asked for another 2 weeks — which would have placed their response after the conference. Plaintiffs consented to one, making their response due on Monday this week. Defendants missed that deadline, and at the end of the day yesterday, provided an answer that only stated (1) one of the cameras was not an “ARGUS” camera (but did not deny it was controlled by NYPD) and (2) two of the cameras were not controlled by NYPD (but did not deny they were controlled by the actual party to this case, the City). Plaintiffs asked to meet and confer on these responses, but counsel's first availability is “late Friday.” Thus, Plaintiffs ask for permission to submit their letter *after* that meeting, so their letter can address the sole Plaintiff-facing development since the last conference.

On the second, reviewing the Court's rules, I was reminded that “the Court encourages opportunities for law students and junior attorneys to appear and argue in Court accompanied and supervised by a more experienced attorney” and that such requests “will be freely granted.” Mx. Grail-Bingham has worked on this case since they began at our firm this summer, and they have been involved in both drafting and client communications (and as the Court knows, they attended the previous conference). I believe it would be a fantastic opportunity to give Mx. Grail-Bingham an on-their-feet experience at this conference — and of course, I will still be there to support and take over if necessary. Defendants have graciously indicated they have no objections.



As always, I thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/

J. Remy Green

Honorific/Pronouns: Mx., they/their/them

COHEN&GREEN P.L.L.C.

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cc:

All relevant parties by ECF.